

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)
)
Advanced Television Systems and) RM-9260
Their Impact Upon the Existing)
Television Broadcast Service)

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MAY 22 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS OF MOTOROLA

Motorola hereby submits these comments in response to the Petition for Rule Making filed by the Community Broadcasters Association (CBA) concerning the development of a new class of television broadcast service.¹ Essentially, CBA's proposals would create a new "Class A" TV service that would elevate eligible low power television (LPTV) stations from secondary to primary status against all later authorized full power and LPTV stations.

While Motorola takes no general position on the necessity of creating a Class A television service, any new broadcast service should not impose any negative impact on primary land mobile operations. Only a few months ago, the FCC responded to Congressional directions and reallocated UHF-TV channels 60-69 at 746-806 MHz from the broadcast television service to public safety land mobile use and other commercial services.² In that decision, the FCC fully considered the impact that the reallocation imposed upon the low power television service and concluded that:³

¹ *In the Matter of Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, Petition for Rule Making, filed September 30, 1997, amended, March 18, 1998 [*Hereinafter Petition*]. See Public Notice, April 21, 1998.

² *In the Matter of Reallocation of Television Channels 60-69, the 746-806 MHz Band. Report And Order*, ET Docket No. 97-157, (Adopted December 31, 1997).

³ *Id.* at ¶31.

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[T]he request to provide interference protection for LPTV and TV translators is incompatible with the allocations for public safety and commercial services required under the Budget Act. Such action would preclude access to the spectrum throughout much of the nation.

Public safety organizations are now finalizing plans to utilize their new allocation with licensing scheduled to begin in September of this year. At this critical juncture, it would be wholly inappropriate for the FCC to take steps to increase the number of protected incumbents and thus reduce spectrum availability. As noted above, the Commission correctly realized that protecting LPTV stations in channels 60-69 would run contrary to Congressional intent and reduce available spectrum for land mobile use. The instant petition offers no analysis that would alter this fundamental conclusion. Thus, if the Commission decides to move forward with implementing a Class A television service, it should restrict such operations to channels below UHF-TV channel 60.

In addition, the land mobile services are allocated spectrum between 470-512 MHz (UHF-TV channels 14-20) in 11 major markets across the country.⁴ Current FCC Rules ensure that secondary, low power television stations and translators protect these operations through the establishment of co-channel interference standards.⁵ The instant petition, however, does not propose to apply those same standards to the proposed Class A television service. Therefore, if the FCC decides to pursue the proposed Class A service on channels below UHF-TV channel 60, it must protect land mobile stations to levels consistent with the existing provisions of Section 74.709 or the original mileage separations adopted in Docket 18261, whichever offers the greater protection.

⁴ 47 C.F.R. §90.303.

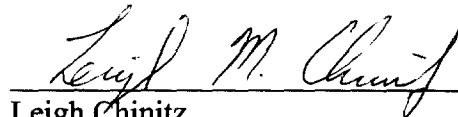
⁵ 47 C.F.R. §74.709.

In conclusion, Motorola takes no opinion on the establishment of a new Class A television broadcast service but urges the Commission to take no action that undermines the ability of primary land mobile operations to utilize their allocated spectrum.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

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